

Introduced by Senator OrtizJanuary 26, 2004

An act to add Section 4001.2 to the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1149, as introduced, Ortiz. Dangerous drugs: foreign suppliers.

Existing law, the Pharmacy Law, establishes the California State Board of Pharmacy and makes it responsible for licensing and regulating pharmacy practices, including the furnishing of dangerous drugs, as defined.

This bill would require the board to collect and publish information concerning suppliers of dangerous drugs that are located and operating outside of the United States that have violated safe shipment, handling, and processing standards.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds all of the following:
- 2 (a) Increasing numbers of Californians are purchasing
- 3 prescription medications from foreign countries, and are
- 4 purchasing them in many cases through an Internet Web site.
- 5 (b) Despite this, California consumers currently have few ways
- 6 of determining the legitimacy of outlets and suppliers of
- 7 prescription medications in foreign countries, particularly those
- 8 offering their products through an Internet Web site.



1 (c) Because of the lack of identification of unsafe suppliers of
2 prescription medications, seniors and other consumers in
3 California are at risk of harm from the shipment of expired,
4 contaminated, outdated, or counterfeit prescription medications.

5 (d) There is a need to provide consumers with information
6 about fraudulent and unsafe suppliers or outlets of prescription
7 medications whose practices may potentially harm consumers and
8 to assist consumers in making informed choices for obtaining
9 prescription medications for their health care needs.

10 SEC. 2. Section 4001.2 is added to the Business and
11 Professions Code, to read:

12 4001.2. (a) The board shall collect and publish information
13 concerning suppliers of dangerous drugs that are located and
14 operating outside of the United States that have been found to have
15 violated recognized standards for the safe shipment, handling, and
16 processing of dangerous drugs.

17 (b) In carrying out this section, the board may rely on
18 information made available by regulatory and law enforcement
19 bodies, including, but not limited to, the federal Food and Drug
20 Administration, the United States Customs Service, prescription
21 drug regulatory bodies of foreign countries, the Attorney General,
22 the United States Department of Justice, the boards of pharmacy
23 of other states, and the National Association of Boards of
24 Pharmacy.

25 (c) The board is not required to conduct surveillance activities
26 or its own investigations in order to carry out the requirements of
27 this section, but is authorized to engage in those activities to the
28 extent its resources permit.

